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Dress Goods

MILL ENDS FOR FRIDAY. Mill ends of fancy Waistings, allwool Flannels and Tricots in very short ends, but you will be able to match pieces in both quality and color for enough for shirtwaists, etc. Goods that are worth 25c to 39c, in this $7\frac{1}{2}$ C

42-inch Storm Serge, in navy, brown, myrtle, reseda, rose and red, 30c 19c value, in this sale, a yard...... 27-inch all-wool fancy Waistings, 69c value, in the mill end sale, a 25c

54-inch all-wool Plaids, worth 39c \$1.00, in this sale, a yard...... -West Aisle.

Pettis Dry Goods Co.

ECONOMY

in the kitchen is of vital importance these days.

Hundreds of occasional customers have become regular patrons because they found there was no waste to groceries and meats from this store.

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SEE SOME OF THE NEW EFFECTS

We are members of the Merchants' Association.

NEWS OF THE THEATERS.

At the Theaters To-Day.

GRAND.-Vaudeville, 2:15 and 8:15 p. m. PARK .- Johnny and Emma Ray in "A Hot Old Time," 2 and 8 p. m. EMPIRE.-Irwin's Big Show, 2

Notes of the Stage.

Tim Murphy and his company will give two performances of Paul Wilstach's "A Capitol Comedy" at English's next Wednesday. morning. Seats may now be purchased for the performances of "D'Arcy of the Guards" on Monday and Tuesday evenings.

The attention of the reviewers for the New York newspapers is drawn to two old plays and one new play this week. Frank Keenan has been praised for his acting in "The Hon. John Grigsby," and the play's author, Mr. Klein, is credited by some of the critics as having produced one of the best pieces of American dramatic writing. Sol Smith Russell used "The Hon. John Grigsby" before his long illness, Mr. Keenan and his company are at the Manhattan Theater, Mrs. Fiske being on tour. Rose Melville comes in for many compliments, considering that she has been impersonating Sis Hopkins for years not a few. 'The new play is "Joan o' the Shoals.' It was written by Evelyn Greenleaf Sutherland, who helped Booth Tarkington make a play out of his "Monsleur Beaucaire." Mrs. Sutherland's play is presented at the Republic by Henrietta Crossman and her assistants. The critics have scored "Joan" heavily as a wild melodrama, and it is reported that Miss Crossman will withdraw it in favor of other plays in her repertory.

PERSONAL AND SOCIETY. Mrs. John T. Barnett, of Morton Place,

will not observe her day at home to-day.

Mr. and Mrs. X. K. Stout, of Kallspell, Mont., are the guests of Mr. and Mrs. Har-Mrs. Henry Palmer will give a card party next Friday afternoon at her home North New Jersey street.

Mrs. Edward L. McKee has issued invifations for a hearts party on Tuesday, Feb. 11, in honor of Miss Lord. Dr. Bernhard Erdman will leave to-mor-

row for New York, where he will take : post-graduate course in medicine. Mr. and Mrs. John C. Dean will entertain a few friends with a supper Sunday night

for Miss Spencer, who is Miss Burford's The invitations issued by the Misses Spann for Monday have been recalled on

account of the death of their uncle, John

Miss Flora Ketcham entertained a few friends at luncheon yesterday for Mrs. Frank Jelleff, of Providence, R. I., and Miss Sarah Cook, of Troy, N. Y. nounce the marriage of their son, George J. Hammel, jr., and Miss Winter, of In-

dianapolis, in Denver, Col., on Jan. 27. At the Woman's Club this afternoon Mrs. Henry L. Beveridge will read a paper on "Unbeaten Paths," and the conversation on the paper will be led by Mrs. B. D. Wal-

The Ladies' Social Circle of the North Indianapolis Mission Station has invited the Ladies' Social Circle of the First Baptist Church to be their guests at a Washington tea, Thursday, Feb. 20.

Mr. and Mrs. Maurice Moyer and Mr. and Mrs. Leo Meyer have issued invitations for | chancery, filed a report of sales of real esa large reception at the Americus Club, on the evening of Feb. 12, in honor of Mr. and Mrs. Alfred Jaeger, who were married other counties and the proceeds amounted Wednesday night.

Mrs. Henry L. Beveridge is arranging for a class of young ladies to learn basket making. She will have them meet at her home soon in honor of her guest, Miss Cooke, and will have Mrs. Fay present to

give them ideas on basket making. Miss Clara Hawkins is visiting friends at the MacDonald-Ellis school in Washington, which she attended last year. She will go to New York next week and will spend a fev sys at Vassar with Miss Bertha and Miss Lillian Atkins. On her way home she will be the guest of her cousin Mrs. Robert Nevin, in Sewickly,

Miss Florea and Miss Wayner, of Connersville, were the guests of honor at a phia Rook, Cameron's housekeeper, in a high tea yesterday afternoon given by Miss Susan Thompson at her home on North New Jersey street. The parlors were decorated with American Beauty roses, the dining room was all in red with shaded red lights. The table from which a buffet sup- have been released from custody, per was served was adorned with a big cluster of American Beauty roses.

Miss Ethel Smith entertained yesterday afternoon with a euchre party in honor of Miss Nelle Peake; of Kansas City. The gustine, Fla., without change, via Southroses and palms. Her mother, Mrs. H. B. and dining cars. Finest trains in the Smith, Mrs. Joseph L. Gasper and Miss guests were Miss Laura Marten, Miss ville, Ky.

Alma Craft, Miss Davis, Miss Lucy Hardy, Miss Bertha Parker, Miss Ida Terrell, Miss Helen Springsteen, Miss Ethel Reeves, Miss Rosenthal, Miss Edith Griffith, Miss Stella Fox, Miss Florence York, Miss Edith Beck, Miss Jessie Cleveland, Miss Edna Miss Irma Wocher, Miss Harriet Patch, Miss Freda Cockrum, Miss Josephine Jackson, Miss Meltzer of Greencastle, and Miss Helen Cook of Greenfield.

THE MAENNERCHOR MASQUERADE. chor Society, which takes place to-night, promises to be a great success, both in point of beauty and attendance. The large dancing hall has been transformed into an Oriental garden sparkling with more than 4,000 electric lights in green and white and Only those in fancy dress will be admitted to the floor and it is expected that there will be a beautiful and brilliant display of elaborate costuming. All persons over fifty years old will wear the carnival cap and no dominoes will be admitted, so that the interest aroused at the first of the evening will be sustained

after the unmasking at 11 o'clock. MRS. DE PAUW'S LUNCHEON. Mrs. W. C. De Pauw and Miss De Pauw gave a beautiful daffodil luncheon yesterday, entertaining about thirty friends in honor of their guest, Mrs. Joy, of Grand Rapids, Mich. The parlors were fragrant with great bouquets of pink roses. The dining room was in yellow and the light came from yellow candles which burned in the crystal candelabra. The guests were seated at one large table in the center, and at little tables surrounding it. On each table were bunches of daffodils and dainty cards with water color sketches of daffodils which bore the names of the guests.

PETERSON-LEISURE. Special to the Indianapolis Journal. ELWOOD, Ind., Feb. 6.-The marriage of Mr. John A. Peterson and Miss Gertrude Leisure, daughter of Nathan J. Leisure, president of the First National Bank, and one of the wealthiest men in the county. was solemnized at the bride's home, eight miles north of the city last evening, the Rev. L. C. Howe officiating. The Leisure home was beautifully decorated for the ceremony, which was followed by an elaborate luncheon. Mr. and Mrs. Peterson will make their home in Grant county, where the

Tea at Afternoon "Teas."

New York Evening Sun.

former owns a fine farm.

The Russian tea is made by pouring boiling water over English breakfast tea, letting it draw for a moment and then adding a pony of Jamaica rum, with additional lowed to steep for a few minutes longer. It is then served in cups, with a separate decanter of Jamaica rum, thin slices of lemon and powdered sugar.

Oscar's tea, which became a specialty at the Waldorf a season or two ago, when the tearoom used to be thronged each afterupon and its method of preparation pleaded for. In reality the tea was of many separate brews, Oolong, green, English breakfast and the Ceylon teas being served as ordered. The charm of the tea was that it was made perfectly fresh for each order and was well served with thin sandter, which are an admirable accompani-

ment for afternoon teas. Too many American hostesses are not particular enough as to the quality of the tea or its preparation. In many cases it is not served hot and in most cases it is so weak that it is very properly passed by. This probably is the cause of the general rejection of the tea at most of these after-

noon events. Tea is served from an urn or samovar properly and thus can at least be kept hot and renewed; but when servants hand around tea that comes up through a dumb unpalatable, no matter how pretty the china may be or how good the music which serves as the accompaniment.

Sandwiches are always more in favor than cakes at teas. So within the last few seasons any number of new sorts of sandwiches have been invented by caterers, both ornamental in appearance and pleasing to the palate as well. Thin rolls of bread tied with narrow ribbon and others cut in various shapes are among those most in favor.

A Valentine Party.

New York Post. A novel Valentine party given last year is available for any celebration of the day The sale of seats will begin to-morrow devoted to this patron saint. The company included an equal number of young women and young men, the former seated Henry Miller will be seen in the name part | around the room, each having a vacant chair at her side. To this came in turn every young man, making in the two minutes allotted him a proposal of marriage to the young woman. If she liked the way he did it she gave him a little red paper heart, while, if his proposal was not up to her standard a white mitten was bestowed upon him. In the end the young man to receive the most hearts took the prize, a consolation trophy being bestowed upon the unfortunate individual who accumulated the greatest number of mittens. Both mittens and hearts were concealed in tiny sealed envelopes, which the recipient was not allowed to open, depositing them all in a little bag provided for the pur-These bags were turned over to the committee of award at the end of the contest. In this way the fun was heightened. some possible little embarrassments avoided. The only criticism made was that the girls had rather the better of the arrangement, and that it would be only fair for a leap-year privilege to be granted, and let the young women make the rounds as

> Device of a Busy Woman. New York Tribune.

sat down and wrote a thirty-page letter, taking most of the night for the work, telling everything she knew of interest and winding her volume up with the injunction to read only one sheet at a time and make the letter last at least a week. "Whenever you feel that you must hear from me just read another sheet," she added.

If You Don't Mind the Price.

New York Times. Women who are up to date should have their kitchens finished with teakwood. It is expensive, to be sure, but it has wearing qualities which are ideal. It is teakwood which is used to finish the galleys on fine a man always to have everything that is Kendal then proceeded to distribute the ideal in domestic arrangements. The yacht kitchen, to be sure, does not require as much material as the kitchen of a large house, but the fact still remains that teakwood is the best kind of wood for finishing

Special Commissioner's Report. John H. Stotsenburg, special commissioner in the suit of the First National Bank of Covington, Ky., against Charles De Pauw and others, an old case in tate in the United States Court yesterday. The land sold was in White, Lawrence and

Roy Mackey Bound Over.

Roy Mackey, a boy that was caught after he had stolen packages of jewelry as they lay on tables in the postoffice, was taken before United States Commissioner Moores vesterday and bound over to the federal

Accident, Not Murder.

NORTH HERO, Vt., Feb. 6.-After an inquest into the alleged murder case in which Eli Cameron and Edward Draper, of Rouse's Point, N. Y., had killed Mrs. Soquarrel, and then had tried to conceal the crime by setting fire to the camp in which the woman's body had been left, Coroner McMasters has decided that Mrs. Rook died by accident. Cameron and Draper

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PROPOSED MINERS' SCALE CAN FIND NO HAVEN OF REST.

The annual masquerade of the Maenner- A Period of Great Strenuosity for Both Miners and Operators-No Agreement.

> and operators disagreed about 3 o'clock yesterday afternoon on the proposition asked for time to hold a meeting, and an adjournment was taken until 8 o'clock. At 8 o'clock the general committee met, but without reporting the text of the meeting of the miners again referred the scale back the subcommittee. All day yesterday the miners remained firm in their stand, while the operators refused to make any further concession other than the present scale. Much time was spent in discussing the proposed increase of 10 per cent. in wages, that issue being made paramount, as it affects the entire competitive field, while the other demands of the miners only refer to certain districts. On the demands for run of mine and a differential between pick and machine mining up till last night there seemed to be no possible chance of agreement. The operators insist that the powder question and checkoff system are local issues only and should not be brought before the joint conference. The possibility of a disruption of the joint agreement was lessened by the disagreement of the subcommittee, which shows that the operators are standing together to resist all demands. The demand for an increase in wages being made the paramount issue before the committee placed the Illinois operators on the same footing with the others and relieved them of discussing and debating against their

present system of payment. The fact that the matter has again been not necessarily so, and for this reason it tion. was thought best to try once more before leaving the matter to the general commit-

tee and the joint conference. The subcommittee was in session about one hour and half and then adjourned at noon from 4 until 6, has often been dilated the request of the operators to meet this morning at 9 o'clock. The operators then held a metting to further consider what they might have to offer in opposition to demands of the miners.

OPERATORS' ULTIMATUM.

wiches of brown and white bread and but- It Is Said It Was Agreed Upon at a Secret Meeting.

The coal operators have prepared a statement which is said to be in the form of an ultimatum which will be submitted to the scale subcommittee to-day, which will either be the means of settling the scale or causing a disagreement. Many of the operators held a lengthy session in the of the United States Steel Corporation, and Columbia Club last night, lasting until after 1 o'clock this morning and it is said that waiter or by the stairs it becomes really they have decided upon what concessions will be made to the miners. The miners' officials were also in session and they have practically reached a conclusion as to how far they will recede in effecting a com- ton, M. P., and Arthur Kean, chairman of promise. The statements from both sides | the Dowlais Iron, Steel and Coal Company. indicate that there will be a settlement and no disagreement, which would in the end lead to a gigantic strike. For the first operators and miners last night showed a disposition to weaken from their radical stand. Partial concessions have already been intimated in the subcommittee and a

on the outside. The operators are going to make a hard fight to have the present scale adopted jected to certain provisions of the present scale, but they will not let these features hinder a settlement. The most probable basis of a settlement will be a slight in crease in the general mining scale with most of the other demands of the miners referred to separate districts. The initial step of the operators in demanding a reductions of 10 per cent. which was taken lightly by the miners, has been contested for harder than was expected. The operators, however, have practically agreed to

not force this demand. One of the propositions submitted to the miners by the operators was to adjust the scale according to the selling price of coal. If the prices showed an advance, a relative increase would be granted; if they showed a decrease, a decrease in wages should follow. The miners refused to accept this proposition. They say this was ione to place them on the defensive, but they are not willing to accept such a basis of settlement, because they have not proper access to the market prices of coal.

GRADUATING EXERCISES

The Programme Given at School No. 46-Exercises To-Day.

The graduating exercises of the 8A pu-A busy woman away from home often pils of school No. 46 were held last night finds it next to impossible to write letters | in the First M. E. Church. The parents as often as "the home folks" wish to hear and friends of the pupils filled the church from her. Not long ago such a woman and Sunday school rooms. The exercises neglected her correspondence for almost a consisted of musical and literary numbers. week and began to receive telegrams of The graduates were seated in a single row anxious inquiry. Finally in desperation she on the rostrum behind long streamers of bunting. In commencing the exercises a chorus composed of the members of the school sang "Thrice Holy." This was followed by the reading of an essay, "The Vision of Sir Launfaul," by Miss Lillie Reid. Bertha Schlaegel gave a recitation, "The Patriotic President." The class prophecy was read by Miss Goldie Riley and dwelt on the vocations to be followed by the different members of the class and their condition ten years hence. Her prophecy was full of humor and was greaty appreciated. Superintendent Calvin N. Kendal made a few remarks in which he complimented the graduates for their suc-Mr. and Mrs. George J. Hammel an- yachts, because it will not warp. It takes cess in finishing the grammar course. Mr.

Following are the members of the class: Devore, Edna Dunn, Myrtie Grant, Ruth schauck, Lena Swindler, Ethel Trotcky, Bert West, Bert Westover, Auda Wilson, The members of the SA class of the Ben jamin Harrison School will hold their graduating exercises this morning at 10 o'clock in the school. A special programme of music and literary numbers has been arranged. Following is the class: Marie Aneshaensel, Ethel Ayres, Hattie Barbour, Louise Balke, Marie Benton, Albert Ballman, Clarence Butterfield, Florence Chamberlain, Charles Craig, Lawrence Crowe, Hugh De Frees, Ella Efroymson, Marion Freil, Anna Gaston, Coral Griner, Mary Harrison, Mary Holton, Ethyl Hutchinn. Wade Helms, Willard Hubbard, Ruth Kellogg, Alfred Kipp, George Love, Blanche May, Genevieve Marston, Donald Morrison, Jessie Pavey, Louise Schulmeyer, Helen Sourwine, Frederick Schmidt, Neele Streeter. Louis Twente, Helen Votaw, Clarence

Zehringer. The graduating exercises of school No. 15 will be held this afternoon. The exercises will consist of music and recitations. Superintendent Kendal will make an address. Following are those who will take part: Norah Godfrey, Bessie Bristow, Albert Wilson, Fred Wilson, Edna Upham. Willis Bonham, Albert Schaub, Myrtle Dorbecker, Raymond Sheppard, Richard Taylor, Armin Mix, Essie Cotton, Ruth Mer-Olive Hanahan, Eva Coffield, Nellie Grosvenor, Theika Klingstein, Mary Lemon. Helen Parsons and Harry Palmer. The graduating class of school No. 45 will hold its exercises this afternoon in the school. A programme of music and recitations will be given by the pupils. Following are those who will take part: Chester Barnett, Elizabeth Brayton, Ruby Copeland, Louise Coull, Georgia Cruil, Frank parlors were prettily decorated with pink ern Ry. Only one night out. Observation Dixon, Ruth Doolittle, Charles Drury, Margaret Eaglesfield, Anna Ettenger, Fred Ferguson, Helen Fosdick, Marie Goth, Jean-Sue Chambers assisted Miss Smith. Her Pass. Agent, 230 Fourth Ave., Louis- nette Harris, John Henning, Jenne Johnson, Helen Krull, Virginia Lamb, Charlie

Lauer, Ruth Low, Gail Mason, Anna Mc-Manus, Susie McWhirter, Goldie Middleton, Irene Monroe, Martens Mueller, Frank Newman, Willa Nicolas, Bettis Nitterhouse, George O'Connor, Carl Overman, May Potts, Raymond Ridpath, Will Stokes, Fave Stokes, Percy Stuckenberg, Donald Frent, Edna Vincent, Howard Walker, Jennie Williams, Gertrude Wolf, Elmer Yocum.

MRS. SOFFEL'S CONDITION.

Companion of the Biddles Said to Be Verging on Mental Collapse.

PITTSBURG, Pa., Feb. 6.-Word comes to-night from Butler to the effect that Mrs. Soffel, the accomplice of the Biddle brothers, is considerably worse and the nourishment and her mental condition is described as approaching collapse Harry Biddle, the brother of the dead men who had their remains buried yesterday, says the grave will be protected indefinitely from vandals by armed guards.

SLAIN BY ASSASSIN.

(CONCLUDED FROM FIRST PAGE.) y determined to abandon the Boer cause

and any idea of fresh intervention. "DOWN WITH THE THIEVES."

Woman's Cry as She Threw a Pack-

age of Eggs at French Deputies. PARIS, Feb. 6.-While the Chamber of Deputies was discussing the colonial estimates to-day a woman in the woman's tribune suddenly shouted: "Down with the thieves!" and at the same time threw into the hall a package of eggs, which grazed bench and burst over M. Pascal and other deputies. The ushers immediately expelled the woman and wiped the mess from the loor and benches of the Chamber.

Land Purchase Candidate Elected.

DUBLIN, Feb. 6.-The election for mem-

Ivory Coast to Be Developed.

LONDON, Feb. 6.-Negotiations were completed to-day between the Ivory Coast Gold Fields Company and Albert Kahn, the Paris representative of Kuhn, Loeb & Co., of New York, by which Mr. Kahn's concesamalgamated with the first-named company. Reginald Ward and other Americans. both here and in America, are interested in the company. The developments on the Ivory coast are attracting attention here and on the continent, and, according to the company's reports, a big and new field for American mining machinery will be opened.

Schwab Entertained in Commons. LONDON, Feb. 6 .- Joseph Lawrence, M. P., and Archibald W. Maconoche, M. P. entertained Charles M. Schwab, president Mrs. Schwab at dinner at the House of Commons to-night. The guests included Mr. Chamberlain, the colonial secretary; Lord Kelvin, Porest Royal Society, Edinburgh; Sir Thomas Lipton, Sir Edward H. Carson, solicitor general; Colonel Hunsicker, chairman of the Nickel Corporation, and Mrs. Hunsicker: John Fletcher Moul-

Baumann Sentenced. ELBERFELD, Rhenish Prussia, Feb. 6 .time since the joint conference began the Judgment was delivered to-day in the case of the thirteen persons accused of being concerned in the traffic in exemptions from military service. Baumann, the originator more favorable discussion has taken place of the scheme, was sentenced to twentysix months' imprisonment and to five years' loss of civil rights. The sentence includes a year and a half which Baumann has alwithout change. Some of the operators ob- ready spent in prison while awaiting trial. The other defendants were discharged.

Signature Repudiated by Rhodes.

CAPE TOWN, Feb. 6.-In the Supreme Court here to-day the case of Louw vs. Radziwill and Rhodes was called up. The court refused to grant a postponement of the hearing on the ground of the illness of the Princess Radziwill. Counsel for Cecil Rhodes said the latter repudiated the signature of the promissory note in dispute.

A. J. Balfour Sued for Slander. LONDON, Feb. 6.-The Sun has brought

suit against A. J. Balfour, the government leader in the House of Commons, for slander, because of Mr. Balfour's declaration in the House that the Sun's interview with him concerning the overtures recently made by The Netherlands government is a ture, the law firm of Hawkins & Smith, fabrication.

Played Ping-Pong for \$10,000.

NEW YORK, Feb. 6 .- Ping-pong, the new game, has invaded the National Sporting | Speiser's family. The notification prepared Club, says a London dispatch to the Her- by the attorneys relates that no less than ald, and, in a set of five games just played seventy misstatements were made in the between two stock brokers, \$10,000 changed

Cable Notes.

FAMOUS LIBRARY SOLD .- The London rid which announces that the Marquis De Jerez's famous library has been sold to an American for \$40,000.

doubt that India is threatened with an- | caught in the press and crushed. other severe famine. FRANCE HAS ACCEPTED .- The United States embassy at Paris has been officially notified that France has accepted the in-

position, which is to be held in 1903. NOT COMING TO AMERICA .- A dispatch to the Tribuna of Rome from Milan says there is no foundation for the reports that the Count of Turin (Prince Vittorio Emanuelo of Savoi-Aosta, cousin of the King of Italy) is about to visit the United | decided against her. States with matrimonial intentions. SMALLPOX ABOARD A SHIP.-The Warren line steamer Kansas, Captain

Waters, which left Boston Jan. 21 for Liverpool, arrived there on Wednesday and landed fourteen cases of smallpox. Small-James Burcham, Jennie Blount, Hortense | pox broke out on board the Kansas shortly after she left Boston. The cases are Glick, Mabel Jones, Ocean Powell, Lillie about equally divided among the cattle-Reid, Goldie Riley, Bertha Schlaegel, Ellen men and the crew. The steamer has been quarantined.

Mardi Gras Carnival.

NEW ORLEANS, Feb. 6.-The carnival of 1902 opened with the pageant of the Knights of Momus to-night. The subject was Byron and there were twelve moving tableaux based upon well-known poems. The parade was followed by a brilliant ball at the French Opera House. The Austrian cruiser Szigetvar and the auxiliary cruiser Buffalo headed the visiting fleet and the crowd is already immense.

CLEVELAND, O., Feb. 6.-The Ohio Brass Company to-day filed a rallroad lien against the Lake Shore Electric Railway Company, one of the Everett-Moore properties. The amount of their claim is \$8-369. The lien is taken on all of the property of the company in the counties of Cuyahoga, Lorain, Huron, Erie, Sandusky,

Lien on Lake Shore Electric Line.

Ottawa, Wood and Lucas, including everything owned by the company,

Verdict of Manslaughter. ADRIAN, Mich., Feb. 6 .- The jury which has been trying Bert Farrington on the charge of having murdered Jesse Hooker. whom Farrington found in a room with Mrs. Farrington, to-night brought in a verdict of manslaughter. The case will go to the Supreme Court.

Shot His Partner. CLAYTON, N. M., Feb. 6.-Oscar Bell was shot and killed by James Goode at the latter's home last evening. They were partners in the cattle business. Goode gave

himself up New Pianos \$165 and up at Wulschner's.

NEWS OF LOCAL COURTS

ARGUMENT IN A GAS CASE BEFORE JUDGE CARTER.

Point in Contention Is Whether Gas Pipes Are Personal Property-Damage Suits Filed.

Vinson Carter, argument in the injunction suit of the Indiana Natural Gas and Oil Company against Edward B. Ball, the Matthews Land Company, George N. Catterson and others, was continued yesterday. For the plaintiffs in the case appeared W. H. H. Miller and C. C. Shirley, of Kokomo. The defendants were represented by Roscoe Hawkins and Arthur W. Brady. The contention which Judge Carter is asked to determine relates to a matter of jurisdiction -whether the case can be brought to the Marion county courts or must be heard in the county where the property of the plain-

tiff is located. For the gas company W. H. H. Miller and Mr. Shirley held that Judge Carter has proper jurisdiction in the case since the gas pipes with which the company seeks to enjoin interferference are personal property and may be handled and moved like any other form of personal property. For the land company, Mr. Catterson, Mr. Ball and the others whom the gas company seeks to enjoin, Attorney Hawkins argued that the pipes in question are not personal property in any sense, but are real estate, attached the head of M. Pascal, a deputy, struck a to the thirty-nine acres of the company where its power house is located. Judge Carter has, therefore, no jurisdiction is the argument of the defendants' attorneys. The argument will be continued.

Essie Gray's Divorce Complaint.

Essie Gray, who has filed a suit for divorce from John Gray, makes a plea of ex-1900, who was recently appointed judge of is varied unpleasantly. Gray approached a district of the city of Dublin, has re- her in the street, she alleges, and knocked sulted as follows: James Wood, land pur- her down. That took place on Dec. 21, 1901. chase candidate, 3,576; Col. R. H. Wallace, Ten days later, she claims, he deserted her, referred to the subcommittee without first | Unionist, 3,429; Wood's majority, 147. The | leaving her and her children in a destitute entering the general committee indicates result is that the opposition gains a seat condition. Since that time, she tells the that both sides have decided to try once in Parliament. James Wood is a lawyer court, she has had to depend upon friends more to get together rather than let a dis- and farmer and was the pledged nominee and relatives for the bare necessities of agreement stand. The action of the sub- of the farmers' and laborers' union. In life, and that her lot has been most miseracommittee is generally considered final by his address Mr. Wood said that he was ble. She wants the custody of two children both operators and miners, although it is and always had been a Unionist by convic- and also \$300 annually for their support and

Cases in Police Court.

Felix Ray, colored, who was arrested and charged, after identification by Mrs. Maggie Smith, as the negro that assaulted her on. West Michigan street, was bound over to the grand jury yesterday from Police sions, amounting to nearly 300,000 acres, are | Court. He offered no witnesses in defense, although he claimed at the time he had a dozen or more who would swear he was at Bell's saloon at the time of the assault. Forest Holland, a colored boy, who was arrested a few days ago, was bound over to the grand jury on a charge of burglary. He was accused of stealing articles from a room in the Denison Hotel, where he was employed as an elevator boy.

Hester A. Davidson's Suit.

Hester A. Davidson, to whom Judge Mc-Master yesterday granted a decree of vorce from William A. Davidson, on the ground of cruel treatment, declared for one thing that he had twice beaten her into insensibility. His Honor's decision was not long delayed. Mrs. Davidson yesterday filed a suit for partition of property against her former

husband. She claims that he owns certain

property in Lawrence township in which

she is entitled to a share and she asks the

court to protect her in her rights.

Court Asked to Construe a Will. In a friendly suit filed in the Circuit Court yesterday by Robert F. Catterson and George N. Catterson, executors of the estate of James L. Bradley, against Lulu M. Bradley and others, Judge Allen is asked to determine the exact construction of certain sections of the will left by Mr. Bradley. The sections in question are ambiguous, it is stated, and to avoid all possible complications and misconstructions the court is requested to forever set at rest

the meaning of the instrument.

Cared for Child Thirteen Years. In asking for a judgment against John Craig, Elizabeth Jordan says that she spent thirteen years of her life in caring for his son, taking him when he was three years old and guiding him through the ills and dangers of childhood until he came to the ing of the child in 1887, she alleges, and gave him up in 1900. For this service she alleges that Craig promised to pay her \$250 yearly, but that he has never fulfilled

his contract. She sues for \$3,250.

Retraction Is Demanded. In accordance with the provisions of law recently passed by the State Legislarepresenting Adam Speiser, yesterday filed a notification to the Indianapolis Sentinel in which that paper is given an opportunity to retract certain statements made in a recent Sunday issue regarding members of

article in question. A Demand for \$25,000.

A damage suit for \$25,000 was filed against the Indianapolis News yesterday by Her-Evening News prints a dispatch from Mad- bert D. Moore, a former employe. He claims that on April 14, 1900, he was permanently injured and crippled through the negligence and carelessness of employes of ANOTHER FAMINE FEARED .- From the News. At that time, he says, he was Calcutta the correspondent of the London | employed in the pressroom of the paper | Daily Mail in a dispatch says there is little as an assistant pressman and one arm was

Lower Court Affirmed.

The Supreme Court yesterday affirmed vitation to participate in the St. Louis ex- the judgment in the case of Johanna Eissler, of Vanderburg county, against the heirs of her father's estate. Before her father died he gave her \$2,500 with the understanding that she was to receive \$1,000 more when he died. Her mother also died and she sued to break the will, but the court

In the Probate Court.

administrator of the estate of John H. Probate Commissioner Walker. Mary E. Bremmerman was appointed administratrix of the will of Sarah Jane Bremmerman, and her bond was fixed by the commissioner in the sum of \$1,000.

THE COURT RECORD. SUPERIOR COURT.

Room 1-John L. McMaster, Judge. Hester Davidson vs. William Davidson: divorce. Finding and decree for plaintiff. Judgment against defendant for costs. The City Bond Company vs. Francis Barber; improvement lien. Dismissed. Costs

Charles M. Rock vs. Earl Smith et al.

on note. Finding and judgment for plaint-iff against defendants for \$38.25. Judgment against plaintiff for costs. The Marion Bond Company, trustee, vs. Katherine Knox et al.; improvement lien. Dismissed. Costs paid. Room 2-James M. Leathers, Judge, Charles F. Old vs. Gladiator Chemical

Company; on note. Submitted to court on application for receiver. O. E. Wier appointed receiver. Helen Webster vs. Harmon J. Everett: account. Defendant defaulted. Submitted to court. Evidence heard. Finding that plaintiff is entitled to possession and damages for \$53 and costs.

Marion Bond Company vs. Sarah T. Car-

riger; improvement lien. Submitted to Mutual Building and Loan Association No. court. Evidence heard. Finding against defendant for \$79.38, without relief, and costs. Foreclosure and sale ordered. Balke & Krauss Company vs. Laakmann-Shever Company; on note. Evidence heard. Finding and judgment against defendant for \$209.39, without relief, and costs. CIRCUIT COURT.

Henry Clay Allen, Judge. Anna M. V. Fatout vs. Marion F. Fatout: divorce. Dismissed by plaintiff. Judgment against plaintiff for costs. Isaac L. Bloomer vs. City of Indianapolis;

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from Board of Works. By agreement of parties cause transferred to Superior Court. Teresia Goeble vs. Emanuel Goeble; par-

CRIMINAL COURT. Fremont Alford, Judge. Roscoe Waitfield; assault and battery. Fined \$1 and costs. Mick C. Hurley; assault and battery. Fined \$5 and costs.

NEW SUITS FILED.

tition. Petition to reinstate cause submit-

ted to court. Evidence heard.

Hester A. Davidson vs. William A. Davidson; complaint for partition. Circuit Court. Herbert D. Moore, by his next friend, lonzo Moore, vs. Indianapolis News; damages. Demand \$25,000. Superior Court, Essie Gray vs. John Gray; divorce. Superior Court, Room 2. Elizabeth Jordan vs. John M. Craig; action on account. Circuit Court. Robert F. Catterson and George N. Cat-

and Henry Bradley. Circuit Court, Joseph Keller vs. Harry W. Aldag; complaint on a note. Superior Court, Room 1.

terson, executors of the will of James L.

Bradley, deceased, vs. Lulu M. Bradley,

Maria A. Bradley, Mary Belle Hingham

HIGHER COURTS' RECORD. SUPREME COURT. 19726. Eissler vs. Happel. Vanderburg S. C. Affirmed. Hadley, J.—Where an heir expectant in consideration of a certain sum from other heirs releases all right to her share of the future estate, and actually receives the sum agreed upon at the time the contract is made, she will be bound

18789. Carver vs. Forry. Madison C. C Affirmed. Jordan, C. J .- 1. This court cannot weigh the evidence so as to determine on which side the preponderance lies. 2 In order to justify this court in disturbing a judgment of a trial court on the evidence age of sixteen. She undertook the rear- above it must appear that the evidence is such as to raise or present for decision a question of law on some material issue, and that such question was decided erroneously

by the trial court. 19395. Gas Company vs. State ex rel. Ball Boone C. C. Oral argument Feb. 19, 1902. 19502. State ex rel. Warren vs. Ogan Fountain C. C. Oral argument Feb. 21, 1902. 19085. City of Terrue Haute vs. Kersey. Vigo S. C. Oral argument March 12, 1902. 19537. Indianapolis Street-railway Company vs. Taylor. Shelby C. C. Oral argument Feb. 28, 1902. 19697. Terre Haute & Logansport Railway Company vs. Thomas. Clinton C. C. Peti-

tion for rehearing overruled. 19498. Leon Bonham, by his next friend, vs. the Citizens' Street-railroad Company. Marion S. C. Appellant's additional au 19775. Willis B. Wheeler vs. State of In diana. Warrick C. C. Appellant's petition for additional time.

19509. The B. & O. S. W. Railway Com-

pany vs. Thomas E. Jones. Jennings C. C.

Appellant's reply (2) to supplemental brief of appellee. -New Case .-19780. William J. Allen vs. Norman Mc-Gee et al. Monroe C. C. Transferred under act of 1901 from Appellate Court (3806.)

APPELLATE COURT. 3975. Irwin vs. Guthrie. Martin C. C. Affirmed. Roby, J .- No Change in form or confusion of details can give consideration or validity to a transaction which origi nally had none and was founded on fraud. 3523. Cullen vs. State ex rel. Brown, administrator. Rush C. C. Reversed. Wiley, J.-When real estate of a decedent is sold to pay debts the statute fixes the right of the widow in such real estate, or in the funds realized from its sale. She is entitled to one-third interest in value, and the court, under certain conditions, may order the sale of the entire estate and require that one-third of the proceeds be paid t the widow. And when the administrator Dr. Sollis Runnells, who was appointed accounts to the estate for all moneys due it, but fails to pay the widow her share, the estate cannot maintain an action Taylor, yesterday filed a bond of \$400 with against the administrator upon his bond for the amount due the widow. 3464. Pelverson vs. Smith. Adams C. C.

Affirmed, Robinson, P. J.-1. The provision of the statute relating to the guardianship | years old when the policy was issued. The of minors which requires the guardian to company contested payment to the benerender to the proper court an account of ficiary, the defense being that the applicahis receipts and expenditures at least once | tion contained false answers to questions, in every two years, and in failing to do so which, by the terms of the policy, were shall receive no allowance for services, is made warranties. It was held that an inapplicable to guardians of persons of un- fant is not bound by his warranties in an sound mind. 2. A guardianship is one of application for life insurance, and the continuous matter, and when the court is company cannot defend an action on the asked to terminate the trust by approving a final report the whole guardianship may | Rep. (Rhode Island, Judge Stiness), 834.] be reviewed. 4322. Consumers' Gas Trust Company vs. American, etc., Company. Madison S. C. Advancement denied.

3806. Allen vs. McGee. Monroe C. C. Pe-

4036. Woods vs. Indiana, etc., Associa-

tition to transfer to Supreme Court granted.

tion. Knox C. C. Appellant petitions to

transfer to Supreme Court.

-Minutes.-3646. Jesse Mankin vs. Pennsylvania Company. Porter C. C. Appellant's petition for additional time 4242. Margaret A. Comer vs. John R Hayworth. Pulaski C. C. Appellant's petition to amend brief. 4293. The Wabash Railroad Company vs. C., R. & M. Railroad, Miami C. C. Renewal of appellee's petition for oral argu-

4036. Woodford E. Woods vs. Indiana

Knox C. C. Appellant's petition to transfer to Supreme Court (2.) Henry P. Davis vs. Jefferson Davis, petition to transfer to Supreme Court. al. vs. Joel L. Hobbs, administrator. Law- Louisiana Reports.]

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Merrell-Soule Co., Syracuse, N. Y. rence C. C. 'Appellants' brief on motion to dismiss and in reply to appellee's sup-

Nelson Marsh. Putnam C. C. Appellant Black's brief (8.) -New Case .-4233. William Dwight et al vs. Sadie

4228. George W. Black et al. vs. Frank

elemental brief (5.)

Andrews. Elkhart C. C. Record. Assignment of errors. Notice. RECENT LEGAL OPINIONS. -Intoxicating Liquors-Civil Damages for

Sale .-Maine has a statute which provides as follows: "Every wife, child, parent, guardian, husband or other person who is injured in person, property, means of support or otherwise, by any intoxicated person, or by reason of the intoxication of any person, has a right of action in his own name against anyone who by selling or giving any intoxicating liquors, or otherwise, has caused or contributed to the intoxication of such person." The Supreme Court of that State has held that where a wife has been injured in the means of her support by reason of the death of her husband, caused by his intoxication, she can maintain an action under this statute against the person who sold or gave him the liquor which produced the intoxication.

[50 Atlantic Rep. (Me., Judge Wiswell), 892.] -Corporations-Assumption of Name .-A corporation of Connecticut, "The Peck Bros. & Co.," commenced a suit in Illinois against the corporation of "Peck Bros Co." to restrain the use of the name "Peck Bros Co." or "Peck Bros." The assumption of the name was of itself the utterance of a falsehood, for there were no brothers Peck interested in the corporation. The name assumed was voluntarily selected and for the purpose of appropriating the good will and name of another. Judge Jenkins, of the United States Court of Appeals, in granting an injunction enjoining the defendants from further perpetration of the wrong, makes use of the following vigorous language: "Wrong attended its birth and fraud stood sponsor at its christening. [34 Chicago Legal News, 185.]

An action was brought on a policy of life insurance, upon the life of a boy fifteen policy by proving their falsity. [50 Atlantic -Telegraph Companies-Nondelivery of Messages .-A father cannot recover for mental an-

-Life Insurance-Infancy of Applicant .-

guish occasioned by a telegraph company's negligent failure to deliver a message, causing the absence of a brother-in-law at the death of a daughter; the relationship not being such that any addition to the father's suffering could be presumed. [31 Southern Rep. (Ala., Judge Dowdell), 78.1 -Parent and Child-Reciprocal Relations --A daughter, eighteen years old, living with her father, giving him her services, is, in legal contemplation, a person dependent upon the father for support. though she may be physically able to earn her own living. The right of the father to claim the services of the minor and the right of the daughter to support are reciprocal rights and obligations. [31 Southern Rep. (La.), 38.]

-Mental Capacity to Make Wills,-The Supreme Court of Louisiana holds, in a late case, that though a person execute administrator. Madison C. C. Appellant's a last will and testament during an attack of delirium tremens, it will be maintained 4001. Salem-Bedford Stone Company et if executed during a lucid interval. [100

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